



Office of the City Engineer

20 North 6th Street • Lafayette, Indiana 47901-1412
Phone 765-807-1050 • FAX 765-807-1049

**AGREEMENT FOR UTILITY SERVICE
TIPPECANOE DEVELOPMENT II, LLC
BARRINGTON LAKES SUBDIVISION MASTER AGREEMENT**

Pursuant to the attached Conditions for Utility Service consisting of six (6) pages, the City of Lafayette agrees to provide water supply service to and to accept sanitary sewage from a proposed 79.708 ± acre residential development site known as Barrington Lakes Subdivision (Lots 1-314 – all Sections and Phases), located at CR 50 South and McCarty Lane. (Described in Exhibit 'A' attached hereto.)

City of Lafayette
Board of Public Works and Safety

Gary D. Henriott, President

Amy Moulton, Member

Norman D. Childress, Member

Ronald Shriner, Member

Cindy Murray, Member

ATTEST:

Date: _____

Date: _____

Owner/Developer:
Tippecanoe Development II, LLC

Name: John B. Scheumann, Jr. Title: Member

Date: 10/5/2020

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

Before me the undersigned, a Notary Public for the County of Tippecanoe, State of Indiana, personally appeared Gary D. Henriott, President of the Lafayette Board of Public Works and Safety, Norman D. Childress, Board Member, Cindy Murray, Board Member, Amy Moulton, Board Member, and Ronald Shriner, Board Member and acknowledged the execution of the foregoing instrument this _____ day of October, 2020.

Notary Public
Resident of _____ County

My Commission Expires: _____

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

Before me the undersigned, a Notary Public for the County of Tippecanoe, State of Indiana, personally appeared John B. Scheumann, Jr., representative of Tippecanoe Development II, LLC, who acknowledged the execution of the foregoing Agreement for Utility Service this 5/12 day of October 2020.



TERRY L. KING
NOTARY PUBLIC - OFFICIAL SEAL
Commission # 695281
State of Indiana, Carroll County
My Commission Expires January 17, 2025

Terry L. King
TERRY L. KING Notary Public
Resident of Carroll County

My Commission Expires: 1/17/25

Exhibit 'A'

LAND DESCRIPTION - SUBJECT TRACT (79.708 acres +/-)

A part of the Northeast and Northwest Quarters of Section 29, Township 23 North, Range 3 West, Perry Township, Tippecanoe County, Indiana, more particularly described as follows: Beginning at an I-beam Post marking the Northeast Corner of said Northwest Quarter; thence South 01 degree 34 minutes 37 seconds East (bearings based on Tippecanoe County Section Corner Perpetuation Project) a distance of 673.04 feet to a railroad rail post; thence North 89 degrees 54 minutes 17 seconds West a distance of 965.86 feet to a 1/2" rebar; thence North 88 degrees 01 minute 41 seconds West a distance of 32.97 feet to a 5/8" rebar with a yellow cap stamped "Schneider Firm #0001" (hereinafter referred to as Rebar) on the North line of the South Half of the Northeast Quarter of said Northwest Quarter; thence South 00 degrees 36 minutes 09 seconds East a distance of 1974.78 feet to a magnetic nail marking the Southeast corner of Barrington Woods Subdivision, Section 1, as described on the Final Plat thereof, Recorded as Record #201818019763 in the Office of the Recorder of Tippecanoe County, Indiana, said nail being on the South line of said Northwest Quarter; thence North 89 degrees 41 minutes 31 seconds East along said South line 989.90 feet to the Southeast Corner of said Northwest Quarter; Thence North 89 degrees 41 minutes 41 seconds East along the South line of said Northeast Quarter Section 274.74 feet to a mag nail with washer stamped "Schneider Firm #0001" marking a southwest corner of the right-of-way line of McCarty Lane as described in two deeds, recorded as Record #201010016186 and #201010016190; thence along said right-of-way line the following ten (10) courses; (1) North 00 degrees 01 minute 02 seconds West a distance of 31.14 feet; (2) thence North 89 degrees 58 minutes 58 seconds East a distance of 150.00 feet; (3) thence North 78 degrees 40 minutes 23 seconds East a distance of 50.99 feet; (4) thence North 89 degrees 58 minutes 58 seconds East a distance of 35.00 feet; (5) thence North 55 degrees 09 minutes 40 seconds East a distance of 17.81 feet to a point on a non-tangent curve having a radius of 1940.00 feet, the radius point of which bears North 77 degrees 34 minutes 23 seconds West; (6) thence northerly along said curve to the left an arc distance of 429.76 feet to a point which bears North 89 degrees 58 minutes 30 seconds East from said radius point; (7) thence North 00 degrees 01 minutes 30 seconds West a distance of 856.96 feet; (8) thence North 16 degrees 43 minutes 28 seconds West a distance of 52.20 feet; (9) thence North 16 degrees 40 minutes 27 seconds East a distance of 52.20 feet; (10) thence North 00 degrees 01 minutes 30 seconds West a distance of 1199.25 feet to a Rebar on the North line of the Northwest Quarter of said Northeast Quarter; thence North 89 degrees 36 minutes 45 seconds West along said North line a distance of 600.99 feet to the Point of Beginning, containing 79.708 acres, more or less.

'Exhibit A' Visual

**Barrington Lakes SD
79.708 ac**

26

Oriole Dr

Country Aire Dr

Oriole Ct

McCarty Ln

10 S

McCarty Ln

McCarty Ln

Finsbury St

Haddington Ln

E 50 S

E 50 S

E 50 S



CONDITIONS FOR UTILITY SERVICE

1. Execution of the Consent to Voluntary Annexation and Waiver of Right to Object.
2. Acceptance of the conditions in the attached Statement of Policy for Utility Service. (Dated March 25, 1999)
3. The Owner/Developer shall provide all easements necessary to provide utility (water, sanitary sewer and storm sewer) service at no cost to the City of Lafayette.
4. The implementation plan for this development anticipates that 10% of the full fees will be paid at the time of execution. The balance of the Cost Recovery Fees will be paid on a per lot basis due at the time of application for a sewer permit for each lot (lots 1-314). No further addendum will be required unless the density of the subdivision is altered thus requiring a modification in per lot fees.
5. Payment of the Cost Recovery Fees, pursuant to the Cost Recovery Fee Summary Sheet – Exhibit 'B' dated September 28, 2020 attached hereto and a part hereof.

6.1 WATER SUPPLY

Existing watermains are located near the proposed development and have sufficient size and capacity to serve said development. The City of Lafayette has previously constructed water supply facilities, storage facilities and distribution mains to serve this general area.

Water service shall be provided for the project at one (1) point of connection:

1. Service will be from an 8"Ø line located at the west side of the property through the Barrington Woods Subdivision (North side of Manton Road). This line is fed from an existing 14"Ø watermain on the south side of CR 50 South. Said 14"Ø will be extended to the corner of CR 50 South and McCarty Lane as part of the utility plan for Barrington Lakes Subdivision.

Local watermains throughout the proposed development shall be maintained at 8"Ø minimum with the exception of limited duty mains which may be sized 6"Ø.

In recognition of prior construction of primary water supply, storage and distribution mains by the City of Lafayette to serve this general area, the Owner/Developer agrees to pay to said City a Water Cost Recovery Fee in the amount of \$1,029 per acre of platted development.

SUMMARY OF COSTS AND PAYMENTS
Water Supply

Payment due upon the execution of a Utility Service Agreement equals platted acreage times the appropriate fee times ten percent (10%). (Acreage x Fee x 0.10)

The remaining balance of the Water Cost Recovery Fee for each platted phase will be due and payable at time of application for a sewer permit for each lot (per lot fee) as identified in Exhibit 'B'.

All construction shall be subject to all applicable City standards as noted elsewhere in this Utility Service Agreement.

Upon completion, all watermains shall be accepted by the City of Lafayette as public watermains without residual obligation to the Owner/Developer.

No additional tap or cost recovery fees are required from the Owner/Developer for said water service save those fees provided for and required under City ordinance.

6.2 SANITARY SEWER

Existing sanitary sewer systems are located near the development and have sufficient size and capacity to serve said development. The City of Lafayette has previously constructed sewage lift stations, forcemains and interceptor sewers to serve this general area.

Sewer service connection shall be provided at one (1) point of connection.

1. Service will be from a 10"Ø line located at the west side of the property through the Barrington Woods Subdivision (South side of Manton Road). This line is connected to an existing 12"Ø sanitary sewer on CR 50 South.

In recognition of prior and current construction of sewage lift stations, forcemains and interceptor sewers by the City to serve this general area, the Owner/ Developer agrees to pay to said City a Wastewater Cost Recovery Fee in the amount of \$4,153 per acre of platted development.

SUMMARY OF COSTS AND PAYMENT
Sanitary Sewer Service

Payment due upon the execution of a Utility Service Agreement equals platted acreage times the appropriate fee times ten percent (10%).
(Acreage x Fee x 0.10)

The remaining balance of the Wastewater Cost Recovery Fee for each platted phase will be due and payable at time of application for a sewer permit for each lot (per lot fee) as identified in Exhibit 'B'.

All construction shall be subject to all applicable City standards as noted elsewhere in this Utility Service Agreement.

Upon completion, all sanitary sewers shall be accepted by the City of Lafayette as public sanitary sewers without residual obligation to the Owner/Developer.

No additional tap or Cost Recovery Fees are required from the Owner/Developer for said sewer service save those fees provided for and required under City ordinance.

STATEMENT OF POLICY UTILITY SERVICE

March 25, 1999

This document is prepared as a general statement of policy for connection to the water and wastewater systems of the City of Lafayette. Unusual or extra-ordinary service conditions may justify additional and/or alternative requirements.

No utility service, water or wastewater, will be provided until all technical and monetary matters have been satisfied.

Sanitary Sewers

1. Provision of wastewater service is conditioned on the acceptance and usage of the City water system where such waterlines are within reasonable connection distance.
2. All sanitary sewers proposed for connection to the City of Lafayette system shall be constructed of the highest quality state-of-the-art materials, built with sound construction practices in accordance with City of Lafayette Typical Construction Guidelines and Details (current version), Ordinance 85-21 as amended, and Ten States Standards, all to the acceptability of the Board of Public Works & Safety.
3. Private sanitary sewers are not generally permitted. Connection may be allowed for such sewers per direction of the Board of Public Works & Safety.
4. Application for connection to the sanitary sewer shall be initiated at the Office of the Lafayette City Engineer.
5. All required technical data, design documents, plans and specifications, permits, and approvals shall be delivered to and acknowledged by the Office of the Lafayette City Engineer prior to the initiation of construction by the developer.
6. Payment of sewer permit fees, Cost Recovery Fees and/or Wastewater Agreement Fees shall be made to the City prior to the issuance of a sewer connection (tap) permit.
7. Resolution of all items relating to Stormwater Management must be achieved prior to issuance of a sewer connection (tap) permit.
8. Notification of the Water Pollution Control Department-Sewers Section is required prior to initiation of construction activity and prior to connection the system.

Water

1. Provision of water service is conditioned to the acceptance and usage of the City wastewater system where such sewer lines are within reasonable connection distance.
2. All waterlines proposed for connection to the City of Lafayette system shall be constructed of the highest quality state-of-the-art materials, built with sound construction practices in accordance with City of Lafayette Typical Construction Guidelines and Details (current version), Ordinance 1279 as amended, and Ten States Standards, all to the acceptability of the Board of Public Works & Safety.
3. Private waterlines, with appurtenances, are not generally permitted. Connection may be allowed for such waterlines per direction of the Board of Public Works and Safety.
4. Application for connection to the water distribution system shall be initiated at the Office of the Lafayette City Engineer.
5. All required technical data, design documents, plans and specifications, permits, and approvals shall be delivered to and acknowledged by the Office of the Lafayette City Engineer prior to the initiation of construction by the developer.
6. Payment of waterline tap fees, meter fees, Cost Recovery Fees and/or other agreement fees shall be made to the City prior to the issuance of a waterline connection permit.
7. Resolution of all items relating to Stormwater Management must be achieved prior to issuance of a waterline connection (tap) permit.
8. Notification of the Water Department is required prior to initiation of construction activity and prior to connection to the system.

EXHIBIT 'B'

**COST RECOVERY FEE SUMMARY SHEET
TIPPECANOE DEVELOPMENT II, LLC
September 28, 2020**

Project Title: Barrington Lakes Subdivision
Project Acreage: 79.708±

Number of Lots: 1-314

Schedule of Fees:

I. Charges:

Water Fee	(\$1,029 x 79.708 acres) =	\$82,020	(20%)
Wastewater Fee	(\$4,153 x 79.708 acres) =	<u>\$331,027</u>	(80%)
Total		\$413,047	100%

II. Down Payment:

10% payment due at time of execution of Utility
Service Agreement
0.10 x \$413,047 = \$41,305

Water Fee	=	\$8,261
Wastewater Fee	=	<u>\$33,044</u>
		\$41,305

III. Balance Due:

Total Fee	=	\$413,047
Less Down Payment	=	<u>\$41,305</u>
Balance	=	\$371,742

\$371,742/315 Lots = **\$1,180/lot**

Payable at the time of application for a sewer permit for each lot.

Water (20%)	(\$1,180 x 0.2) =	\$236.00
Sewer (80%)	(\$1,180 x 0.8) =	\$944.00

UTILITY COST RECOVERY FEE WORKSHEET

Project Title: Barrington Lakes Subdivision - Master Agreement Date: 9/28/2020

Project Location: CR 50 South and McCarty Lane

Total Platted Acreage: 79.708 Ac. (per Legal Description) No. of Lots: 1-314

Service Area in which Proposed Project is located: (See Map) 4

A. Total Average Flow from IDEM Design Summary: _____ gpd

B. Acreage flow: A. = _____ gpd per Ac.
Platted Acreage

C. Flow Multiplier: B. - 2000 = _____
(Use 0 if less than 0) 2000 gpd per Acre

WASTEWATER RECOVERY FEE WORKSHEET

WATER RECOVERY FEE WORKSHEET

1. Base Fee	<u>\$2,165</u>
2. Service Area Fee	<u>\$1,988</u>
3. Flow Rate Adjustment: [C. x (1.+2.)]	= _____
4. Recovery Fee per Acre: (Sum of 1.+2.+3.)	= <u>\$4,153</u>
5. Total Wastewater Recovery Fee (4. x Total Platted Acreage)	= _____
<u>\$4,153</u> x <u>79.708ac</u>	= <u>\$331,027</u>

1. Base Fee	<u>\$941</u>
2. Service Area Fee	<u>\$88</u>
3. Flow Rate Adjustment: [C. x (1.+2.)]	= _____
4. Recovery Fee per Acre: (Sum of 1.+2.+3.)	= <u>\$1,029</u>
5. Total Water Recovery Fee (4. x Total Platted Acreage)	= _____
<u>\$1,029</u> x <u>79.708 ac</u>	= <u>\$82,020</u>

Service Area Fee Schedule

Service Area 1 -	\$2,583
Service Area 2 -	\$4,284
Service Area 2A -	\$5,448
Service Area 2B -	\$7,094
Service Area 2C -	\$984 /S.F. Service
Service Area 3 -	\$2,245
Service Area 3A -	\$3,513
Service Area 3B -	\$1,678
Service Area 4 -	\$1,988
Service Area 5 -	\$1,327
Service Area 6 -	\$3,780
Service Area 6A -	\$4,853
Service Area 7 -	\$2,212
Service Area 8 -	\$2,298
Service Area 9 -	\$1,988
Service Area 9A -	\$3,918
Service Area 10 -	\$1,473
Service Area 11 -	\$3,932
Service Area 11A -	\$1,570
Service Area 11B -	\$3,073
Service Area 11C -	
Service Area 12 -	\$1,473
Service Area 13 -	\$2,294
Service Area 14 -	\$3,043
Service Area 15 -	--
Service Area 15A -	\$3,838
Service Area 16 -	\$3,073
Service Area 17 -	\$5,000 *
Service Area 18A -	\$6,796 *
Service Area 18B -	\$7,560 *
Service Area 18C -	\$3,841 *
Service Area 18D -	\$7,647 *
Service Area 19 -	\$3,550 /S.F. Service*

Service Area Fee Schedule

Service Area 1 -	--
Service Area 2 -	\$21
Service Area 2A -	\$21
Service Area 2B -	--
Service Area 2C -	--
Service Area 3 -	--
Service Area 3A -	\$619
Service Area 3B -	\$619
Service Area 4 -	\$88
Service Area 5 -	--
Service Area 6 -	\$370
Service Area 6A -	\$282
Service Area 7 -	\$312
Service Area 8 -	\$254
Service Area 9 -	\$83
Service Area 9A -	\$123
Service Area 10 -	\$75
Service Area 11 -	\$103
Service Area 11A -	\$130
Service Area 11B -	\$75
Service Area 11C -	--
Service Area 12 -	\$75
Service Area 13 -	\$1,331
Service Area 14 -	--
Service Area 15 -	\$2,419
Service Area 15A -	\$6,430
Service Area 16 -	\$103
Service Area 17 -	*
Service Area 18A -	*
Service Area 18B -	*
Service Area 18C -	*
Service Area 18D -	*
Service Area 19 -	*

* No Base Fee required for this Service Area.

** Revision of Service Area Fee pending.

WASTEWATER RECOVERY FEE WORKSHEET (cont'd)

Service Area 20 -	*
Service Area 20A -	\$240 *
Service Area 21 -	*
Service Area 22 -	
Service Area 23 -	\$7,315 /SF Service*
Service Area 24 -	\$6,713 /SF Service*
Service Area 25 -	
Service Area 26 -	\$7,113 /SF Service*

WATER RECOVERY FEE WORKSHEET (cont'd)

Service Area 20 -	\$1,271 *
Service Area 20A -	\$1,561 *
Service Area 21 -	*
Service Area 22 -	\$3,632 /SF Service*
Service Area 23 -	\$5,174 /SF Service*
Service Area 24 -	\$7,032 /SF Service*
Service Area 25 -	\$2,636 *
Service Area 26 -	\$4,397 /SF Service*

STORMWATER COST RECOVERY FEES

1.	Greenbush Pond Watershed -	\$12,500 / Acre Foot of Storage
2.	Wilson Branch Reservoir Watershed -	\$9,339 / Acre Foot of Storage
3.	Coleman Drain Watershed	\$7,384 / Acre + Greenbush Pond Storage Charge
4.	Southside Drainage Watershed	\$7,086 / Acre
5.	Kirkpatrick Legal Drain Reconstruction	\$2,525 / Acre
6.	C.R. 500 East & McCarty Lane Stormwater Improvements	\$7,088 / Acre
7.	Gannett Storm Sewer Extension	\$13,199 / Acre
8.	Sagamore North Pond / Storm System	\$13,224 / Acre
9.	Old Romney Road Pond / Storm System	\$31,375 / Acre

MISCELLANEOUS COST RECOVERY FEES

I. WATERMAINS

Creasy Lane area between Creasy Court and State Road 38	\$850 / Acre of Platted Acreage
--	---------------------------------

* No Base Fee required for this Service Area.

** Revision of Service Area Fee pending.

CONSENT TO VOLUNTARY ANNEXATION AND WAIVER OF RIGHT TO OBJECT

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

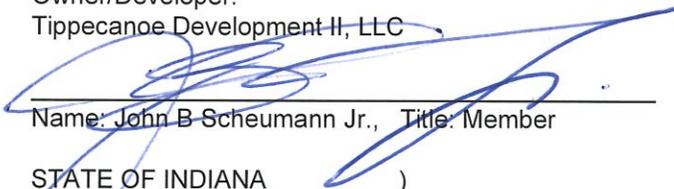
To the City of Lafayette:

In consideration of the City of Lafayette, Indiana, permitting the undersigned to connect to the City utility system and for other good and valuable consideration, the undersigned being all of the fee simple owners of all the real estate to be serviced, hereby consent to the **Voluntary Annexation** of all or any of the real estate within the service area ("Real Estate"), such Real Estate being legally described on the attached Exhibit 'A' which Exhibit is made a part hereof; and upon the request of the City of Lafayette agree to execute any and all documents necessary to effectuate a **Voluntary Annexation** and further **Waive All Rights to Object** to annexation, or resist any proceeding for annexation, of all or any part of the Real Estate by the City of Lafayette or others.

This Consent to Voluntary Annexation and Waiver of Right to Object to Annexation shall run with the land and be binding upon the heirs, administrators, devisees, assigns, or successors in interest.

Date this 5th day of October 2020.

Owner/Developer:
Tippecanoe Development II, LLC


Name: John B. Scheumann Jr., Title: Member

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

Before me a Notary Public in and for said County and State this 5th day of October 2020, personally appeared John B. Scheumann Jr., representative of Tippecanoe Development II, LLC, and acknowledged their voluntary execution of the foregoing Waiver of Right to Object to Annexation.



TERRY L. KING
NOTARY PUBLIC - OFFICIAL SEAL
Commission # 695281
State of Indiana, Carroll County
My Commission Expires January 17, 2025


Notary Public

TERRY L KING
Name (Typed or Printed)

My Commission Expires: 1/17/25

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Colin Dale

Exhibit 'A'

LAND DESCRIPTION - SUBJECT TRACT (79.708 acres +/-)

A part of the Northeast and Northwest Quarters of Section 29, Township 23 North, Range 3 West, Perry Township, Tippecanoe County, Indiana, more particularly described as follows: Beginning at an I-beam Post marking the Northeast Corner of said Northwest Quarter; thence South 01 degree 34 minutes 37 seconds East (bearings based on Tippecanoe County Section Corner Perpetuation Project) a distance of 673.04 feet to a railroad rail post; thence North 89 degrees 54 minutes 17 seconds West a distance of 965.86 feet to a 1/2" rebar; thence North 88 degrees 01 minute 41 seconds West a distance of 32.97 feet to a 5/8" rebar with a yellow cap stamped "Schneider Firm #0001" (hereinafter referred to as Rebar) on the North line of the South Half of the Northeast Quarter of said Northwest Quarter; thence South 00 degrees 36 minutes 09 seconds East a distance of 1974.78 feet to a magnetic nail marking the Southeast corner of Barrington Woods Subdivision, Section 1, as described on the Final Plat thereof, Recorded as Record #201818019763 in the Office of the Recorder of Tippecanoe County, Indiana, said nail being on the South line of said Northwest Quarter; thence North 89 degrees 41 minutes 31 seconds East along said South line 989.90 feet to the Southeast Corner of said Northwest Quarter; Thence North 89 degrees 41 minutes 41 seconds East along the South line of said Northeast Quarter Section 274.74 feet to a mag nail with washer stamped "Schneider Firm #0001" marking a southwest corner of the right-of-way line of McCarty Lane as described in two deeds, recorded as Record #201010016186 and #201010016190; thence along said right-of-way line the following ten (10) courses; (1) North 00 degrees 01 minute 02 seconds West a distance of 31.14 feet; (2) thence North 89 degrees 58 minutes 58 seconds East a distance of 150.00 feet; (3) thence North 78 degrees 40 minutes 23 seconds East a distance of 50.99 feet; (4) thence North 89 degrees 58 minutes 58 seconds East a distance of 35.00 feet; (5) thence North 55 degrees 09 minutes 40 seconds East a distance of 17.81 feet to a point on a non-tangent curve having a radius of 1940.00 feet, the radius point of which bears North 77 degrees 34 minutes 23 seconds West; (6) thence northerly along said curve to the left an arc distance of 429.76 feet to a point which bears North 89 degrees 58 minutes 30 seconds East from said radius point; (7) thence North 00 degrees 01 minutes 30 seconds West a distance of 856.96 feet; (8) thence North 16 degrees 43 minutes 28 seconds West a distance of 52.20 feet; (9) thence North 16 degrees 40 minutes 27 seconds East a distance of 52.20 feet; (10) thence North 00 degrees 01 minutes 30 seconds West a distance of 1199.25 feet to a Rebar on the North line of the Northwest Quarter of said Northeast Quarter; thence North 89 degrees 36 minutes 45 seconds West along said North line a distance of 600.99 feet to the Point of Beginning, containing 79.708 acres, more or less.

